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its conduct in doing so is negligent. The reason is that it acts in its public or governmental capacity as the agent of the state, and not in its corporate and private capacity. It is also held that Ky. St. 1903, sec. 6, conferring a right of action for negligently occasioning death, does not give a right of action against the city in the premises.

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ACCIDENT INSURANCE—KNIFE-CUT IN TRIMMING CORNS.—A death resulting from a self-inflicted knife cut made by an insured while trimming a corn, which was followed by blood poisoning, is one from an “accidental, external and violent” injury, within the meaning of an accident policy. *Nax v. Travelers’ Insurance Company* (U. S. Circuit Court, Eastern District of Pennsylvania), N. Y. Law Journal, Oct. 1, 1904.

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CARRIERS—INJURIES TO PASSENGERS—CARE REQUIRED—FALLING OBJECTS NEGLIGENCE—EVIDENCE.—The Supreme Court of New York, App. Div., holds that a carrier of passengers is only bound to use reasonable care and diligence to prevent passengers from being injured by articles falling from racks in the cars intended to hold the same; and that where a valise, which, though heavy, had been lifted to an overhead rack by one of the plaintiff’s companions, falls by reason of a change of gravity of the train, and injures the plaintiff (there being no evidence that the valise was not securely placed in the first instance, or that, at any time before it fell, there was anything in its position to indicate that it was likely to fall), such facts are insufficient to establish negligence on the part of the company in failing to see that it was properly secured. *Whiting v. Hudson River R. R. Co.*, N. Y. Law Journal; s. c. 89 N. Y. Sup. 584.